



U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

TAWANA C. MARSHALL, CLERK  
THE DATE OF ENTRY IS  
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed February 5, 2014

  
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE:

BUFFET PARTNERS, L.P., et al.  
  
DEBTORS.<sup>1</sup>

§  
§  
§  
§  
§  
§  
§  
§

CASE NO. 14-30699-11

CHAPTER 11

(Joint Administration Requested)

**ORDER GRANTING REQUEST FOR EMERGENCY  
CONSIDERATION OF CERTAIN "FIRST DAY" MATTERS**

On February 4, 2014, the Court considered the *Request for Emergency Consideration of Certain "First Day" Matters* (Docket. No. 12, the "Request")<sup>2</sup> filed by the above-referenced debtors (the "Debtors"). The Court finds that the relief sought in the Request is essential to the continued operation of the Debtors' business and is in the best interest of the Debtors' estate and creditors. Therefore, it is

**ORDERED** that the Request is **GRANTED**. It is further

<sup>1</sup> The Debtors in these chapter 11 cases are Buffet Partners, L.P. and Buffet G.P., Inc.

<sup>2</sup> Capitalized terms not defined herein shall have the meaning given to them in the Request.

**ORDERED** that a hearing on the following matters shall be held on February 5, 2014 at 2:00 p.m. (CST) in the Courtroom of the Honorable Harlin D. Hale, United States Bankruptcy Court, Earle Cabell Federal Building, 1100 Commerce St., Courtroom 3, 14<sup>th</sup> Floor, Dallas, TX 75242-1496:

1. Joint Emergency Motion for Joint Administration of Chapter 11 Cases [Docket No. 2];
2. Debtors' Emergency Motion to Extend Time to File Schedules of Assets and Liabilities, Schedules of Executory Contracts and Unexpired Leases, and Statement of Financial Affairs [Docket No. 11];
3. Debtors' Emergency Motion to Authorize Maintenance of Certain Prepetition Bank Accounts and Cash Management System [Docket No. 4];
4. Debtor's Emergency Motion to Authorize Payment of Prepetition Wages, Salaries, Commissions, Reimbursable Employee Expenses and Benefits in the Ordinary Course of Business [Docket No. 5];
5. Debtors' Emergency Motion for Interim and Final Orders (I) Authorizing the Use of Cash Collateral Pursuant to Sections 105, 361, 362, and 363 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 4001(b), and (II) Granting Adequate Protection to the Prepetition Secured Lender [Docket No. 10];
6. Debtors' Emergency Motion for Interim and Final Order Providing Adequate Assurance of Utility Payments [Docket No. 6];
7. Debtors' Emergency Motion for an Order Pursuant to 11 U.S.C. §105(a) and Fed. R. Bankr. P. 6003 Authorizing the Debtor to Honor Certain Prepetition Obligations to Customers and to Continue Certain Customer Programs and Practices [Docket No. 7];
8. Debtors' Emergency [First] Motion to Reject Unexpired Leases of Non-Residential Real Property and Related Equipment Leases Pursuant to 11 U.S.C. § 365 *Nunc Pro Tunc* to the Petition Date [Docket No. 9]; and
9. Debtors' Emergency Motion to Pursuant to 11 U.S.C. §§ 105(a) and 1107(a) and 7 U.S.C. § 499a *et seq.* to Establish Critical Vendor and PACA Vendor Payment Procedures [Docket No. 8].

All relief not expressly granted in this order is denied.

### END OF ORDER ###

Prepared and submitted by:

/s/ John E. Mitchell

John E. Mitchell, SBT # 00797095

Rosa A. Shirley, SBT #24056313

**BAKER & McKENZIE LLP**

Trammell Crow Center

2001 Ross Avenue, Suite 2300

Dallas, Texas 75201

Tel: (214) 978-3000

Fax: (214) 978-3099

Emails: [john.mitchell@bakermckenzie.com](mailto:john.mitchell@bakermckenzie.com)

[rosa.shirley@bakermckenzie.com](mailto:rosa.shirley@bakermckenzie.com)

PROPOSED ATTORNEYS FOR THE DEBTORS